

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

WILLIE JUNIOR McCASKILL, II,)
)
)
Plaintiff,)
)
)
v.) CIVIL NO. 1:05CV536
)
)
DEPARTMENT OF THE ARMY,)
FRANCIS J. HARVEY,)
Secretary of the Army,)
)
)
Defendant.)

ORDER and JUDGMENT

BULLOCK, District Judge

For the reasons set forth in the memorandum opinion filed
contemporaneously herewith,

IT IS ORDERED that Defendant's motion to dismiss [Doc. #7]
is **DENIED**.

IT IS ORDERED AND ADJUDGED that Defendant's alternate motion
for summary judgment [Doc. #7] is **GRANTED**, and this action is
hereby **DISMISSED** with prejudice.


United States District Judge

February 8, 2006